IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

WP(C).No. 11828 of 2007(G)

PETITIONER:

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1. LIJA VARGHESE, PROPRIETRIX OF MADATHIL ENTERPRISES, KUTTIVATTOM SHOPPING COMPLEX, KUTTIVATTOM, VADAKKUMTHALA, PANMANA PANCHAYAT, KARUNAGAPPALLY, KOLLAM.

2. SHAMSUDHEEN, PROPRIETOR OF PUTHENPURAYIL GLASS HOUSE, KUTTIVATTOM PANCHAYAT SHOPPING COMPLEX, KUTTIVATTOM, PANMANA, KARUNAGAPPALLY, KOLLAM.

BY ADV. SRI.K.SUBASH CHANDRA BOSE

RESPONDENTS:

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1. PANMANA GRAMA PANCHAYATH, REPRESENTED BY ITS SECRETARY, PANMANA GRAMA PANCHAYAT, PANMANA, KARUNAGAPPALLY, KOLLAM.

2. THE CIRCLE INSPECTOR OF POLICE, CHAVARA, KOLLAM.

3. THE SUB INSPECTOR OF POLICE, CHAVARA, KOLLAM.

4. ABDUL RAHIM, FISHVENDOR, KUTTIVATTOM SHOPPING COMPLEX, PANMANA PANCHAYAT, RESIDING AT PANIKETTU KIZHAKKETHIL, VADAKKUMTHALA MEKKU, VADAKKUMTHALA P.O., KARUNAGAPPALLY, KOLLAM.

5. ASHARAF, FISHVENDOR, KUTTIVATTOM SHOPPING COMPLEX, PANMANA PANCHAYAT, RESIDING AT NARUVILA VADAKKATHIL (KALAVARA THEKKATHIL), VADAKKUMTHALA KIZHAKU, VADAKKUMTHALA P.O., KARUNAGAPPALLY, KOLLAM.

6. NIZAM, FISHVENDOR, KUTTIVATTOM
SHOPPING COMPLEX, PANMANA PANCHAYAT, RESIDING
AT MULLAKKERI, PANMANA PO, CHAVARA, KOLLAM.

By G.P. SMT.T.B.RAMANI

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO.11828 of 2007

Dated this 11th day of April, 2007

JUDGMENT

Sri.K.P.Satheesan, the learned Standing Counsel for the Panchayat submits that on receiving notice on the writ petition, necessary steps have been taken by the Panchayat for preventing sale of fish on the entrance of the Panmana Grama Panchayat Market near to the petitioners' shop and that presently no fisherman is selling fish at the area near to the petitioners' shop.

Under the above circumstances, this writ petition will stand disposed of directing the Panchayat to ensure that no fisherman sells fish either at the passage shown in Ext.P6 or at any spot close to the petitioners' shop. The 2nd respondent will render necessary police assistance, if any, sought for by the first respondent in the event of any failure on the part of the fish vendors to comply with the Panchayat's direction in the matter.

PIUS C.KURIAKOSE
Judge

dpk